

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COANNE WILSHIRE, :

Plaintiff, : No. 20-CV-7998 (OTW)

-against- : **ORDER**

L&M DEVELOPMENT PARTNERS, et al. :

Defendants. :

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COANNE WILSHIRE, :

Plaintiff, : No. 24-CV-1756 (OTW)

-against- :

LEMLE & WOLFF INC., et al. :

Defendants. :

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ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of ECF 125 and 126 in Case No. 20-cv-7998, in which Defendant represents that the HUD conciliation process is over and now seeks a briefing schedule for motions for summary judgment, and ECF 45 and 46 in Case No. 24-cv-1756, in which *pro se* Plaintiff seeks to “reinstate the original Order to Settlement Mediation by Administrative Judge” in Case No. 20-cv-7998 and to amend her complaint in Case No. 24-cv-1756.

The Court construes Plaintiff’s request to “reinstate the original Order to Settlement Mediation” as requesting either (1) a new referral to mediation or (2) a revival of the previous

mediator's proposed settlement. The Court previously referred the parties for mediation on March 31, 2023. (ECF 71).¹ After the mediator issued a final report of a proposed settlement agreement between the parties, (ECF 76), Judge Oetken Ordered that the case be dismissed subject to restoration within thirty days. (ECF 77). Plaintiff then filed a letter on November 1, 2023, to reopen the case (ECF 80). Plaintiff filed a subsequent letter on December 8, 2023, stating that she was unaware that the mediator had notified Judge Oetken that an agreement in principle had been reached and that she did not agree to the proposed settlement terms. (ECF 86). Plaintiff explains in her December 8 letter that she had requested information on how to submit a motion for summary judgment. (*Id.*). The Court does not believe additional mediation will be successful or find any reason to reinstate the proposed settlement agreement that Plaintiff rejected. Accordingly, both requests are **DENIED**.

The parties' motions for summary judgment, if any, are due by **November 20, 2024**. Oppositions are due by **December 18, 2024**. Replies are due by **January 8, 2025**.

Defendants are directed to serve a copy of this Order on Plaintiff by **October 30, 2024**.

SO ORDERED.

Dated: October 25, 2024
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge

¹ ECF references in this paragraph refer to Case No. 20-cv-7998.